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FORM 1 (ND/SD MISS. JAN. 2018)

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF MISSISSIPPI SOUTHERN DIVISION

TOBIAS WARD, et al.	PLAINTIFFS
V.	CIVIL ACTION
	No. 1:17-cv-00187-HSO-JCG
PHILANA HARRELL	DEFENDANT

CASE MANAGEMENT ORDER

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the Court on a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

IT IS HEREBY ORDERED:

1.	ESTIMATED DAYS OF TRIAL:	7-10	
	ESTIMATED TOTAL NUMBER OF WITNESSES:	20-25	
	EXPERT TESTIMONY EXPECTED: Yes	NO. OF EXPERTS:	5-7

2. ALTERNATIVE DISPUTE RESOLUTION [ADR]. (Pick one)

At the time this Case Management Order is offered it does not appear that alternative dispute resolution techniques will be used in this civil action.

Additional Information:

3. Consent to Trial by United States Magistrate Judge. (Pick one)

The parties do not consent to trial by a United States Magistrate Judge.

4. DISCLOSURE.	(Pick one)
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	_	pre-discovery disclosure requirements of Fed.R.Civ.P.26(a)(1) and U.L.Civ.R. 16(d) and 26
	(a) ha	ave been complied with fully.
5.	Stage	tions; Issue Bifurcation. (Pick one) and resolution, or bifurcation of the issues for trial in accordance with FED. R. CIV. P. 42 (b) not assist in the prompt resolution of this action.
	Staten	nent Not Applicable.
6.	DISCO	OVERY PROVISIONS AND LIMITATIONS.
	A.	Interrogatories are limited to <u>35</u> succinct questions.
	В.	Requests for Production are limited to30 succinct questions.
	C.	Requests for Admissions are limited to30 succinct questions.
	D.	Depositions are limited to the parties, experts, and no more than
		fact witness depositions per party without additional approval of the Court.

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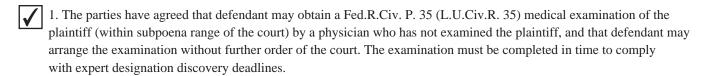
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E.	The parties have complied with the requirements of Local Rule $26(f)(2)$ and $(3)(C)$ regarding
	discovery of electronically stored information and have concluded as follows:

To the extent that either party possess electronically stored information, it will be obtained provided, except as privileged, for which a privilege log will be prepared and submitted to the other party.

In the event ESI arises, the parties will disclose via hard copy.

F. The court imposes the following further discovery provisions or limitations:



2. Pursuant to FED.R.EVID. 502(d), the attorney-client privilege and the work-product protections are not waived by any disclosure connected within this litigation pending before this Court. Further, the disclosures are not waived in any other federal or state proceeding.

3. Plaintiff must execute an appropriate, HIPAA-compliant medical authorization.

4. The court desires to avoid the necessity of filing written discovery motions where court participation in an informal discussion of the issue might resolve it, even after the parties have been unsuccessful in a good faith attempt to do so. Consequently, before a party may serve any discovery motion, counsel must first in good faith as required by Fed. R. Civ. P. 37(a)(1). If the attorney conference does not resolve the dispute, counsel must contact the chambers of the magistrate judge to request a telephonic conference to discuss the issue as contemplated by Fed. R. Civ. P.16(b)(3)(B) (v). Only if the telephonic conference with the judge is unsuccessful in resolving the issue may a party file a discovery motion.

5. Other:

The parties are in the process of working out an order that will provide for disclosure of the court proceedings before the County Court of Harrison County, Youth Court Division. When the parties have worked out an order, it will be submitted to the Court.

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7.	SCI	HEDULING DEADLINES
	A.	Trial. This action is set for <u>JURY TRIAL</u> during a <u>three-week</u> term of court
		beginning on: February 3, 2020 , at 9:00 , a.m. , in Gulfport ,
		Mississippi, before United States <u>District</u> Judge <u>Halil S. Ozerden</u> .
		THE ESTIMATED NUMBER OF DAYS FOR TRIAL IS $_7-10$. ANY CONFLICTS WITH THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE IMMEDIATELY UPON RECEIPT OF THIS CASE MANAGEMENT ORDER.
		Pretrial. The pretrial conference is set on: <u>January 21-23, 2020</u> , at <u>9:00</u> , <u>a.m.</u> , in <u>Gulfport</u> , Mississippi, before United States <u>District</u>
		Judge Halil S. Ozerden .
	C.	Discovery. All discovery must be completed by: <u>July 19, 2019</u> .
	D.	Amendments. Motions for joinder of parties or amendments to the pleadings must be
		filed by: January 4, 2019
	E.	Experts. The parties' experts must be designated by the following dates:
		1. Plaintiff(s): March 4, 2019
		2. Defendant(s): April 4, 2019

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8. MOTIONS. All disp	ositive motions and Daubert-type motions challenging another party's expert
must be filed by: A	ugust 2, 2019 The deadline for motions <i>in limine</i> is fourteen days
before the pretrial co	onference; the deadline for responses is seven days before the pretrial
conference.	
9. SETTLEMENT CONF	ERENCE.
A SETTLEMENT CONF	ERENCE is set on: October 2, 2019 , at 9:30 , a.m. in
	, Mississippi, before United States Magistrate Judge
John C. Gargiulo	
Seven (7) days before	e the settlement conference, the parties must submit via e-mail to the magistrate
judge's chambers an	updated CONFIDENTIAL SETTLEMENT MEMORANDUM. All parties are
required to be present	at the conference unless excused by the Court. If a party believes the scheduled
settlement conference	e would not be productive and should be cancelled, the party is directed to inform
the Court via e-mail o	of the grounds for their belief at least seven (7) days prior to the conference.
10. REPORT REGARDIN	G ADR. On or before (7 days before FPTC) January 14, 2020 , the parties
must report to the un	ndersigned all ADR efforts they have undertaken to comply with the Local Rules or
provide sufficient fa	cts to support a finding of just cause for failure to comply. See L.U.Civ.R.83.7(f)(3)
SO ORDERED:	
11/29/2018	s/ John C. Gargiulo
DATE	UNITED STATES MAGISTRATE JUDGE